

REMARKS

With the addition of new claims 19 to 41 and the cancellation herein without prejudice of claim 11, claims 12 to 41 are pending in the present application, since claims 1 to 10 were previously canceled. It is respectfully submitted that all of the presently pending claims are allowable, and reconsideration of the present application is respectfully requested.

Applicant notes with appreciation the acknowledgement of the claim for foreign priority and the indication that all copies of the certified copies of the priority documents have been received.

Applicant thanks the Examiner for considering the previously filed Information Disclosure Statement, PTO-1449 paper, and cited references.

Applicant thanks the Examiner for indicating that claims 12 and 13 include allowable subject matter. In this regard, the Examiner will note that each of claims 12 and 13 has been rewritten herein in independent form and to include the subject matter of its base claim. The Examiner will further note that claim 18 has been amended herein without prejudice to include subject matter analogous to that of claim 13. Accordingly, all of claims 12, 13, and 18 are in condition for immediate allowance.

Claims 11 and 14 to 18 were rejected under 35 U.S.C. § 102(b) as assertedly anticipated by U.S. Patent No. 5,709,080 ("the Arora reference"). It is respectfully submitted that the Arora reference does not anticipate any of the present claims, and the rejection should be withdrawn, for at least the following reasons.

As an initial matter, claim 11 has been canceled herein without prejudice, and claim 18 has been amended herein without prejudice to include subject matter analogous to that of claim 13, thereby rendering moot the present rejection as applied to those claims.

Claim 14 recites "bringing the reagent to a predefined diagnosis start pressure." The Office Action refers to step 310 of the Arora reference as assertedly disclosing this feature. However, step 310 merely refers to reading a system pressure. It does not disclose bringing a reagent to a predefined start pressure. Indeed, any review of the Arora reference makes plain that it does not disclose, or even suggest, this feature.

Moreover, claim 14 recites "setting the metering valve at a predefined flow rate." The Office Action asserts that the Arora reference discloses this feature because the Arora reference discloses keeping a metering valve closed. However, nowhere does the Arora reference refer to a state of a metering valve. Instead, the Arora reference refers to shutting off an HC supply pump, which does not disclose setting a metering valve at a

predefined flow rate. Indeed, any review of the Arora reference makes plain that it does not disclose, or even suggest, this feature.

For a least these reasons, the Arora reference does not disclose, or even suggest, all of the features of claim 14, and therefore does not anticipate claim 14. Each of claims 15 to 17 has been amended herein without prejudice to depend from claim 14 and is therefore allowable for at least the same reasons as claim 14.

Withdrawal of this anticipation rejection is therefore respectfully requested.

Claims 11 and 18 were rejected under 35 U.S.C. § 102(b) as assertedly anticipated by U.S. Patent No. 6,209,315 (“the Weigl reference”). Claim 11 has been canceled, and claim 18 has been amended herein without prejudice to include subject matter analogous to that of claim 13, thereby rendering moot the present rejection. Withdrawal of this anticipation rejection is therefore respectfully requested.

New claims 19 to 41 have been added herein. Claims 19 to 41 do not add new matter and are supported by the application, including Specification, as originally filed.

Claims 19 to 22 depend from claim 18 and are therefore allowable for at least the same reasons as claim 18.

Claim 23 includes subject matter analogous to that of claim 12. Therefore, claim 23 and its dependent claims 24 to 26 are allowable for at least the same reasons as claim 12.

Claim 27 includes subject matter analogous to that of claim 14. Therefore, claim 27 and its dependent claims 28 to 32 are allowable for at least the same reasons as claim 14. As further regards claim 32, the claim clarifies that the setting of the metering valve at the predefined flow rate includes opening the metering valve. As noted above, the Arora reference refers to shutting off an HC supply pump, which discloses nothing concerning a state of a metering valve, and certainly does not disclose or suggest opening the metering valve. Claim 32 is therefore allowable for this additional reason.

Claims 33 and 34 depend from claim 14 and are therefore allowable for at least the same reasons as claim 14. As further regards claim 34, the claim clarifies that the setting of the metering valve at the predefined flow rate includes opening the metering valve. As noted above, the Arora reference refers to shutting off an HC supply pump, which discloses nothing concerning a state of a metering valve, and certainly does not disclose or suggest opening the metering valve. Claim 34 is therefore allowable for this additional reason.

Claims 35 to 38 depend from claim 13 and are therefore allowable for at least the same reasons as claim 13.

Claims 39 to 41 depend from claim 12 and are therefore allowable for at least the same reasons as claim 12.

Accordingly, all of claims 12 to 41 are allowable.

Applicant reserves the right to pursue the subject matter of the claims as previously presented in a continuation patent application. Further, any disclaimer that may have occurred during the prosecution of this application is expressly rescinded as regards any subsequently filed patent application.

Conclusion

In view of the foregoing, it is respectfully submitted that all of pending claims 12 to 41 are allowable. It is therefore respectfully requested that the rejections be withdrawn. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

Respectfully submitted,

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